

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Donald R. Huffman, et al.

**Examiner:** S. Hendrickson

**Serial No.:** 07/580,246

**Art Unit:** 1754

**Filed:** September 10, 1990

**Docket:** 7913Z

**For:** NEW FORM OF CARBON

**Dated:** June 20, 2003

Commissioner for Patents  
Alexandria, VA 22313-1450

#47143  
7/1/03

**DECLARATION**

Sir:

I, LISA FIUMARA, hereby declare and state:

1. I am an employee of the firm of Scully, Scott, Murphy & Presser located at 400 Garden City Plaza, Garden City, NY 11530 having the telephone number 516 742-4343.

2. I am today and was on July 17, 2002, secretary to Mark J. Cohen, Esq. the attorney who is acting in a representative capacity before the United States Patent and Trademark Office in relation to the above-identified application.

3. On or about July 17, 2002, I typed the response to the outstanding Office Action in the above-identified application. As evidence thereof, attention is directed to page 29 of the Response dated July 17, 2002. The initials on the bottom of the left hand side of the page after "MJC" are mine, signifying that I had typed the Response.

4. On July 17, 2003 I assembled the documents to be submitted to the United States Patent and Trademark Office in Response to the outstanding Office Action dated January 17, 2002. These documents included:

1. A Response dated July 17, 2002, consisting of 35 pages;

2. A Declaration of Raouf O. Loutfy dated July 16, 2002, consisting of six pages and two exhibits;

3. A Declaration of Raouf O. Loutfy dated July 16, 2002, consisting of nine pages and two exhibits;

4. A Declaration of Alexander P. Moravsky dated July 16, 2002, consisting of five pages and two exhibits;

5. A Declaration of Harold W. Kroto, under 37 C.F.R. §1.132, dated July 27, 1995 consisting of six pages and seven exhibits.

6. A Declaration of Harold W. Kroto, under 37 C.F.R. §1.132, dated June 9, 1995 (for U.S.S.N. 08/236,933) consisting of seven pages and six exhibits.

7. A Supplemental Declaration of Harold W. Kroto, under 37 C.F.R. §1.132, dated November 16, 1999 (for U.S.S.N. 08/236,933) consisting of fourteen pages and six exhibits.

8. An article entitled, "Materials Science Abounds at the 1993 MRS Fall Meeting", in MRS Bulletin, p.54 March 1994.

9. Xerox copy of the Material Research Society Award

10. Certificate of the European Physical Society and accompanying article in Europhy News 25 1994.

11. A combined transmittal letter and petition for extension of term of three months dated July 17, 2002.

12. A check in the amount of \$460.00

In addition, I prepared a self addressed postcard, which listed all of the documents which I assembled. I executed the two certificates of mailing on the Response and transmittal

letter and placed the above-identified documents and the aforementioned postcard into an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 along with the check. For convenience, I clipped the documents identified hereinabove as Item Nos. 8 to 10 together when placing them into the envelope.

5. I then sealed the envelope with its contents, weighed the envelope with its contents, placed the appropriate postage on the envelope for first class mail and then deposited the aforementioned envelope with the U.S. Postal Service on July 17, 2002.

6. I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 6/20/03

Lisa Fiumara  
Lisa Fiumara